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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,274

04/07/2004

Michael W. Pantoliano

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27777

7590

10/24/2006

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EXAMINER

ZHOU, SHUBO

ART UNIT

PAPER NUMBER

1631

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p><b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b></p>	Application No.	Applicant(s)	
	10/821,274	PANTOLIANO ET AL.	
	Examiner	Art Unit	
	Shubo (Joe) Zhou	1631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 04 August 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
  - ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other see continuation sheet for explanation regarding 1A.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 1A:

In the last Office letter mailed 7/5/06, it was pointed out that multiple paragraphs in the amendments to the specification filed 4/3/06 contain changes but no markings were provided to show changes made. Several examples were given therein.

Given the large content of amendments to the specification, it would be difficult for the Office to check each word or sentences in the amendments. Upon further checking, there is still change made but no marking is provided in the amendment filed on 7/5/06. For example, in the amended paragraph beginning on line 16 of page 36 of the specification (pages 3-4 of the amendments filed 7/5/06), the word "performancd" [sic] is changed to "performance," but no marking is provided to show the change made.

Applicant is requested to review the entire amendment to ensure compliance with 37 CFR 1.121.

Applicant is encouraged to contact the examiner prior to responding to this Office letter should there be any questions.

Shubo (Joe) Zhou, Ph.D.

Patent Examiner  
571-272-0724

